



REC'D TN  
REGULATORY AUTH.

BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

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OFFICE OF THE  
EXECUTIVE SECRETARY  
January 16, 2002

Guy M. Hicks  
General Counsel

615 214 6301  
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**VIA HAND DELIVERY**

Mr. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Trivergent Communications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.*  
Docket No. 01-01041  
Docket No. 01-01095

Dear Mr. Waddell:

Pursuant to the Staff's request, Trivergent Communications, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority ("TRA") the original and thirteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated June 30, 2000 which supplements their original filing in this docket on November 30, 2001. The Amendment changes TriVergent Communications, Inc's name to NuVox Communications, Inc.

Thank you for your attention to this matter.

Sincerely yours,

Guy M. Hicks

GMH/jej

Enclosure

cc: Hamilton E. Russell, III, Trivergent Communications, Inc.  
John J. Heitmann, Esquire, Attorney for Trivergent Communications, Inc.  
Don Baltimore, Esquire, Attorney for Trivergent Communications, Inc.

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee

In re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Trivergent Communications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*

Docket No. 01-01041

Docket No. 01-01095

**PETITION FOR APPROVAL OF THE**  
**AMENDMENT TO THE INTERCONNECTION AGREEMENT**  
**NEGOTIATED BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.**  
**AND TRIVERGENT COMMUNICATIONS, INC.**  
**PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

COME NOW, Trivergent Communications, Inc. ("Trivergent") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated June 30, 2000 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Trivergent and BellSouth state the following:

1. Trivergent and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Trivergent. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on October 24, 2000.
2. The parties have recently negotiated an Amendment to the Agreement which changes TriVergent Communications, Inc.'s name to NuVox Communications, Inc.
3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Trivergent and BellSouth are submitting their Amendment to the TRA for its consideration and approval.

The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and Trivergent within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Trivergent and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Trivergent and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 16th day of JAN, 2002.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300  
(615) 214-6301  
Attorney for BellSouth

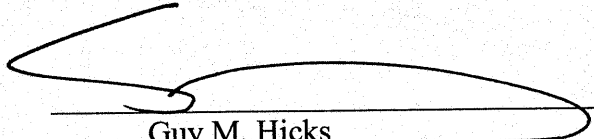
**CERTIFICATE OF SERVICE**

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail, on the 16<sup>th</sup> day of Jan, 2002:

Hamilton E. Russell, III  
Regional Vice President – Legal and Regulatory Affairs  
NuVox Communications, Inc. (formerly TriVergent)  
301 North Main Street, Suite 500  
Greenville, SC 29601

John J. Heitmann Esquire  
Counsel to NuVox Communications, Inc.  
Kelley Drye & Warren LLP  
1200 19<sup>th</sup> Street, NW  
Washington, DC 20036

Don Baltimore, Esquire  
Farrar & Bates  
211 Seventh Avenue North, Suite 420  
Nashville, TN 37219-1823

  
\_\_\_\_\_  
Guy M. Hicks

**Amendment to the Interconnection Agreement  
By and Between BellSouth Telecommunications, Inc.  
And  
TriVergent Communications, Inc.  
Dated June 30, 2000**

Pursuant to this Agreement, (the "Amendment"), TriVergent Communications, Inc. ("TriVergent"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated June 30, 2000 ("Interconnection Agreement").

WHEREAS, BellSouth and TriVergent entered into the Interconnection Agreement on June 30, 2000, and;

WHEREAS, TriVergent has changed the name of said business to NuVox Communications, Inc., a South Carolina corporation and;

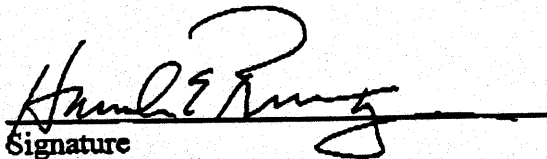
NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

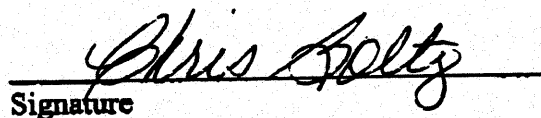
1. The name of TriVergent in the Interconnection Agreement is hereby deleted throughout the Interconnection Agreement and replaced with NuVox Communications, Inc. ("NuVox").
2. All of the other provisions of the Agreement, dated June 30, 2000, shall remain in full force and effect.
3. Either or both of the Parties is authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

**TriVergent Communications, Inc.**

**BellSouth Telecommunications, Inc.**

  
Signature

  
Signature

Hamilton E. Russell, III  
Name

Chris Boltz  
Name

RVP - Legal and Regulatory Affairs  
Title

Managing Director  
Title

12-14-01  
Date

12-14-01  
Date